

HB 1238-FN - AS INTRODUCED

2026 SESSION

26-3085

09/08

HOUSE BILL ***1238-FN***

AN ACT relative to the penalties for the offense of disobeying an officer.

SPONSORS: Rep. Roy, Rock. 31; Rep. Devoid, Merr. 1; Rep. Lascelles, Hills. 14; Rep. D. Mannion, Rock. 25; Rep. Paquette, Hills. 25; Rep. Rhodes, Ches. 17; Rep. Trottier, Belk. 8; Sen. Abbas, Dist 22; Sen. Birdsell, Dist 19; Sen. Gannon, Dist 23

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill amends the penalties for the offense of disobeying an officer.

This bill is a request of the department of safety.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to the penalties for the offense of disobeying an officer.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Disobeying an Officer; Penalties. Amend RSA 265:4, II-III to read as follows:

2 II. Any person who violates any provision of paragraph I of this section may have his or her
3 license or privilege to drive and any registrations issued in his or her name suspended.

4 **III.** In addition *to the penalty listed in paragraph II:*

5 (a) Any person who violates the provisions of subparagraphs I (a), (b), (d), (e), or (f) of
6 this section shall be guilty of a class A misdemeanor.

7 [~~III.(a) In addition to the penalties listed in paragraph II;~~] (b) Any person who violates the
8 provisions of subparagraph I(c) shall be guilty of a class **B felony** [~~A misdemeanor and shall be fined
9 not less than \$500].~~

10 [~~(b) Any person who violates the provisions of subparagraph I(c), and is involved in a
11 motor vehicle accident which causes serious bodily injury as defined in RSA 625:11, VI while being
12 pursued, shall be guilty of a class B felony.~~]

13 (c) Any person who violates the provisions of subparagraph I(c), and is involved in a
14 motor vehicle accident which **injures or** causes the death of **a person** [~~another while being
15 pursued], shall be guilty of a class A felony.~~

16 2 Effective Date. This act shall take effect January 1, 2027.

**HB 1238-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the penalties for the offense of disobeying an officer.

FISCAL IMPACT:

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund</i>	None			
Expenditures*	Indeterminable			
<i>Funding Source</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	Indeterminable			
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	Indeterminable			

METHODOLOGY:

This bill adds, deletes, or modifies a criminal penalty, or changes statute to which there is a penalty for violation. Therefore, this bill may have an impact on the judicial and correctional systems, which could affect prosecution, incarceration, probation, and parole costs, for the state, as well as county and local governments. A summary of such costs can be found at: https://gencourt.state.nh.us/lba/Budget/Fiscal_Notes/JudicialCorrectionalCosts.pdf

AGENCIES CONTACTED:

Judicial Branch, Judicial Council, Department of Justice, Department of Corrections, New Hampshire Association of Counties, and New Hampshire Municipal Association